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Date February 27, 2006

To Examiner Michelle Joike

Of PTO Group Art Unit 1636

Fax 571-273-8300

From Jennifer M. Hayes

Subject Submission of copies of Statements of Availability for Strains I-2421, I-2422, I-2412 previously submitted and date-stamped receipt.

Our Ref Q68857 Appln No 09/716,639

Conf No 8287 Inventors D. Colavizza et al

Pages 8 (including cover sheet)

Please call attention to problems with this transmission by return fax or telephone. Thank you.

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This fax filing includes:

1. This cover sheet (1 page);
2. Copy of Date-stamped filing receipt (1 page);
3. Copy of Statement of Availability With Respect to Yeast Strain CNCM I-2421 (2 pages);
4. Copy of Statement of Availability With Respect to Yeast Strain CNCM I-2422 (2 pages); and
5. Copy of Statement of Availability With Respect to Yeast Strain CNCM I-2412 (2) pages.

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Michelle Joike at the Patent and Trademark Office on February 27, 2006 at 571-273-8300.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jennifer M. Hayes".

Jennifer M. Hayes

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FEB 27 2006

59

FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

D. Colavizza, et al

Appln. No.: 09/716,639

Confirmation No.: 8287

Filed: November 20, 2000

For: NEW BAKER'S YEASTS AND STRAINS FOR THEIR PREPARATION



Group Art Unit: 1761

Examiner: David A. Lambertson

PAPER(S) FILED ENTITLED:

1. Amendment under 37 C.F.R. § 1.111;
2. Substitute Specification (including 1 Clean Version and 1 Marked-up Version); Statement Under 37 C.F.R. § 1.125(b)(1);
3. Petition for Extension of Time (in duplicate) and Check No. 229737 in the amount of \$930.00;
4. Excess Claim Fee Payment Letter (in duplicate) and Check No. 229739 in the amount of \$90.00;
5. Statement of Availability With respect to Yeast Strain CNCM I-2421;
6. Statement of Availability With respect to Yeast Strain CNCM I-2422;
7. Statement of Availability With respect to Yeast Strain CNCM I-2412;

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

DOCKET NO.: Q68857
ATTORNEY/SEC: JMH/sls
Date Filed: September 3, 2003

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68857

D. Colavizza, et al

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Appln. No.: 09/716,639

Group Art Unit: 1761

FEB 27 2006

Confirmation No.: 8287

Examiner: David A. Lanbertson

Filed: November 20, 2000

For: **NEW BAKER'S YEASTS AND STRAINS FOR THEIR PREPARATION**

STATEMENT OF AVAILABILITY WITH RESPECT TO
YEAST STRAIN CNCM I-2412

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, LeSaffre et Cie do depose, declare and state that:

We are the Assignee of the entire right, title and interest of the invention described and claimed in the above-identified application, as evidenced by the Assignment recorded on May 24, 2001, at REEL 011836, FRAME 0517, in the above-identified application.

We agree that upon allowance and issuance of the above-identified application into a United States Patent, restriction on availability of:

Yeast Strain No. CNCM I-2412

which is designated in the specification of the above-identified application and deposited at the Collection Nationale de Cultures de Microorganismes, Institut Pasteur, 28 rue du Docteur Roux, 75724 PARIS CEDEX 15 on March 22, 2000 (date), will be irrevocably removed.

Statement of Availability for CNCM I-2412
U.S. Application Ser. No. 09/716,639

Attorney Docket No. Q68857

We agree that the above-identified deposit designated in the above-identified application will be maintained for a period of 30 years or 5 years after the last request for the deposit or for the effective life of any patent which issues on the above-identified application, whichever is longer;

We agree that if the deposit becomes non-viable, it will be replaced; and

We also assure access to the deposit as determined by the Commissioner under 37 C.F.R. § 1.14.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

LeSaffre et Cie

Date: August 23, 2003

Name: 

Name: NATALIE DE VLEESCHAUWER
Title: PATENT MANAGER

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FEB 27 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68857

D. Colavizza, et al.

Appln. No.: 09/716,639

Group Art Unit: 1761

Confirmation No.: 8287

Examiner: David A. Lanbertson

Filed: November 20, 2000

For: **NEW BAKER'S YEASTS AND STRAINS FOR THEIR PREPARATION**

**STATEMENT OF AVAILABILITY WITH RESPECT TO
YEAST STRAIN CNCM I-2421**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, LeSaffre et Cie do depose, declare and state that:

We are the Assignee of the entire right, title and interest of the invention described and claimed in the above-identified application, as evidenced by the Assignment recorded on May 24, 2001, at REEL 011836, FRAME 0517, in the above-identified application.

We agree that upon allowance and issuance of the above-identified application into a United States Patent, restriction on availability of:

Yeast Strain No. CNCM I-2421

which is designated in the specification of the above-identified application and deposited at the Collection Nationale de Cultures de Microorganismes, Institut Pasteur, 28 rue du Docteur Roux, 75724 PARIS CEDEX 15 on March 24, 2000, will be irrevocably removed.

Statement of Availability for CNCM I-2421
U.S. Application Ser. No. 09/716,639

Attorney Docket No. Q68857

We agree that the above-identified deposit designated in the above-identified application will be maintained for a period of 30 years or 5 years after the last request for the deposit or for the effective life of any patent which issues on the above-identified application, whichever is longer;

We agree that if the deposit becomes non-viable, it will be replaced; and

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

LeSaffre et Cie

Date: August 28, 2003

Name: 

Name: NATALIE DE VLESCHAUWER
Title: PATENT MANAGER

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FEB 27 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68857

D. Colavizza, et al

Appln. No.: 09/716,639

Group Art Unit: 1761

Confirmation No.: 8287

Examiner: David A. Lambertson

Filed: November 20, 2000

For: NEW BAKER'S YEASTS AND STRAINS FOR THEIR PREPARATION

**STATEMENT OF AVAILABILITY WITH RESPECT TO
YEAST STRAIN CNCM I-2422**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, LeSaffre et Cie do depose, declare and state that:

We are the Assignee of the entire right, title and interest of the invention described and claimed in the above-identified application, as evidenced by the Assignment recorded on May 24, 2001, at REEL 011836, FRAME 0517, in the above-identified application.

We agree that upon allowance and issuance of the above-identified application into a United States Patent, restriction on availability of:

Yeast Strain No. CNCM I-2422

which is designated in the specification of the above-identified application and deposited at the Collection Nationale de Cultures de Microorganismes, Institut Pasteur, 28 rue du Docteur Roux, 75724 PARIS CEDEX 15, on March 24, 2000, will be irrevocably removed.

Statement of Availability for CNCM I-2422
U.S. Application Ser. No. 09/716,639

Attorney Docket No. Q68857

We agree that the above-identified deposit designated in the above-identified application will be maintained for a period of 30 years or 5 years after the last request for the deposit or for the effective life of any patent which issues on the above-identified application, whichever is longer;

We agree that if the deposit becomes non-viable, it will be replaced; and

We also assure access to the deposit as determined by the Commissioner under 37 C.F.R. § 1.14.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

LeSaffre et Cie

Date:

August 28, 2007

Name:



Name: NATALIE DE VLEESCHAUWER

Title: PATENT MANAGER